

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROSE M. SHENK,

Plaintiff,

-against-

3:08-cv-00152 (LEK/VEB)

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

DECISION and ORDER

This matter comes before the Court following a Report-Recommendation filed on December 1, 2011 by the Honorable Victor E. Bianchini, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(d) of the Northern District of New York. Report-Rec. (Dkt. No. 16).

Within fourteen days after a party has been served with a copy of a magistrate judge's report-recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Magistrate Judge Bianchini's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby:

ORDERED, that the Report-Recommendation (Dkt. No. 16) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

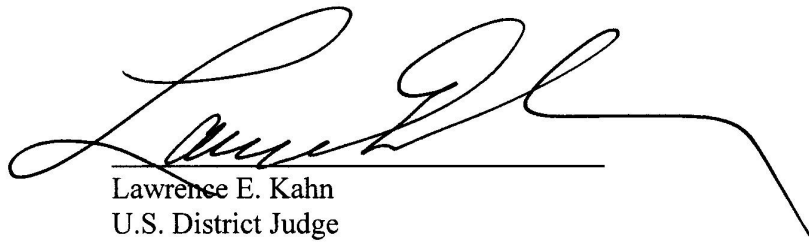
ORDERED, that Defendant's Motion for judgment on the pleadings (Dkt. No. 12) is **GRANTED**; Plaintiff's Motion for judgment on the pleadings (Dkt. No. 11) is **DENIED**; and the

Commissioner's decision is **AFFIRMED**; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: January 18, 2012
Albany, New York



Lawrence E. Kahn
U.S. District Judge